

REMARKS

Claims 1-16 remain pending in the present application. Claims 1, 3-8, 10 and 11 have been amended. Claims 12-16 are new. Basis for the amendments and new claims can be found throughout the specification, claims and drawings originally filed.

REJECTION UNDER 35 U.S.C. § 112

Claim 11 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. Claim 11 has been amended to overcome the rejection. Reconsideration of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-3 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Itoh et al. (U.S. Pat. No. 6,035,653) in view of Iritani (U.S. Pat. No. 5,701,753) in further view of Ishikawa et al. (U.S. Pat. No. 6,314,750). Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Itoh et al. (U.S. Pat. No. 6,035,653) in view of Iritani (U.S. Pat. No. 5,701,753) in further view of Ishikawa et al. (U.S. Pat. No. 6,314,750) and in further view of Kuroda et al. (U.S. Pub. No. 2002/0023451). Applicants respectfully traverse this rejection.

Claim 1, as amended, recites a first throttle valve control means for controlling the degree of opening of said first variable throttle valve in the dehumidifying mode in accordance with a deviation between said target cycle efficiency set by said cycle efficiency determination means and said current cycle efficiency sensed by said cycle

efficiency sensing means; and a second throttle valve control means for controlling the degree of opening of said second variable throttle valve in the dehumidifying mode in accordance with one of a dehumidifying capacity of said cooling heat exchanger and a heating capacity of said heating heat exchanger. Thus, according to Claim 1, the first variable throttle valve and the second variable throttle valve are controlled by the first throttle valve means and the second throttle valve control means, respectively, in the dehumidifying mode in the manner described above. The above characteristic separation between the first throttle valve control means and the second throttle valve control means are not disclosed, taught, or suggested in any of the cited references.

Thus, Applicants believe Claim 1, as amended, patentably distinguishes over the cited prior art. Likewise, Claims 2, 3 and 11 which ultimately depend from Claim 1 are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

ALLOWABLE SUBJECT MATTER

Claims 4, 5 and 7-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 4 depended from Claim 2 which depended from Claim 1. New Claim 12 is an independent claim which includes the limitations of original Claims 1, 2 and 4 and is thus believed to be allowable. New Claim 13 is the same as original Claim 5 but dependent on Claim 12.

Claims 7 and 8 each depended from Claim 6 which depended from Claim 2 which depended from Claim 1. New Claim 14 is a combination of original Claims 1, 2, 7 and 8 and is thus believed to be allowable. New Claims 15 and 16 are the same as original Claims 9 and 10, respectively, but they are dependent on Claim 14.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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